



ADMINISTRATION AND  
MANAGEMENT

## OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1950

April 22, 2009

### MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – *Board of Visitors, Marine Corps University*

The Department of Defense, pursuant to 10 U.S.C. § 7102(e), and the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *Board of Visitors, Marine Corps University* (attached). The board will operate under the provisions of the Federal Advisory Committee Act of 1972, as amended and 41 CFR, Parts 102-3 through 102-3.185.

Prior to filing the board's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectfully requests that the Committee Management Secretariat review and approve the proposed charter (attached). The proposed charter has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Len O'Reilly, at 703-601-6148.

A handwritten signature in black ink, which appears to read "James D. Freeman II", is positioned above the typed name.

James D. Freeman II  
Deputy Committee Management Officer  
for the Department of Defense

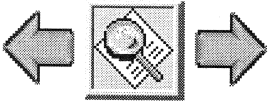
2 Attachments

1. 10 U.S.C § 7102
2. Proposed Charter

## **ATTACHMENT 1**

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-CITE-

10 USC Sec. 7102

01/03/2007

-EXPCITE-

TITLE 10 - ARMED FORCES

Subtitle C - Navy and Marine Corps

PART III - EDUCATION AND TRAINING

CHAPTER 609 - PROFESSIONAL MILITARY EDUCATION SCHOOLS

-HEAD-

Sec. 7102. Marine Corps University: masters degrees; board of  
advisors

-STATUTE-

(a) Master of Military Studies. - Upon the recommendation of the Director and faculty of the Command and Staff College of the Marine Corps University, the President of the Marine Corps University may confer the degree of master of military studies upon graduates of the Command and Staff College who fulfill the requirements for that degree.

(b) Master of Strategic Studies. - Upon the recommendation of the Director and faculty of the Marine Corps War College of the Marine Corps University, the President of the Marine Corps University may confer the degree of master of strategic studies upon graduates of the Marine Corps War College who fulfill the requirements for that degree.

(c) Master of Operational Studies. - Upon the recommendation of the Director and faculty of the Command and Staff College of the Marine Corps University, the President of the Marine Corps University may confer the degree of master of operational studies upon graduates of the Command and Staff College's School of Advanced Warfighting who fulfill the requirements for that degree.

(d) Regulations. - The authority provided by subsections (a), (b), and (c) shall be exercised under regulations prescribed by the Secretary of the Navy.

(e) Board of Advisors. - The Secretary of the Navy shall establish a board of advisors for the Marine Corps University. The Secretary shall ensure that the board is established so as to meet all requirements of the appropriate regional accrediting association.

-SOURCE-

(Added Pub. L. 103-337, div. A, title IX, Sec. 911(a)(1), Oct. 5,

1994, 108 Stat. 2828; amended Pub. L. 107-107, div. A, title V, Sec. 532(a)-(b)(3)(A), (c)(1), Dec. 28, 2001, 115 Stat. 1104, 1105; Pub. L. 108-136, div. A, title V, Sec. 531(a), Nov. 24, 2003, 117 Stat. 1472; Pub. L. 108-375, div. A, title X, Sec. 1084(d)(31), Oct. 28, 2004, 118 Stat. 2063.)

-MISC1-

AMENDMENTS

2004 - Subsec. (a). Pub. L. 108-375, Sec. 1084(d)(31)(A), substituted "Master of Military Studies" for "Authority" in heading.

Subsec. (b). Pub. L. 108-375, Sec. 1084(d)(31)(B), substituted "Master of Strategic Studies" for "Marine Corps War College" in heading.

Subsec. (c). Pub. L. 108-375, Sec. 1084(d)(31)(C), substituted "Master of Operational Studies" for "Command and Staff College of the Marine Corps University" in heading.

Subsec. (d). Pub. L. 108-375, Sec. 1084(d)(31)(D), substituted "subsections (a), (b), and (c)" for "subsections (a) and (b)".

2003 - Subsecs. (c) to (e). Pub. L. 108-136 added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

2001 - Pub. L. 107-107, Sec. 532(b)(3)(A), substituted "masters

degrees; board of advisors" for "master of military studies" in section catchline.

Subsec. (a). Pub. L. 107-107, Sec. 532(b)(1), substituted "upon graduates of the Command and Staff College who fulfill the requirements for that degree" for "upon graduates of the college who fulfill the requirements for the degree".

Subsec. (b). Pub. L. 107-107, Sec. 532(a)(2), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 107-107, Sec. 532(b)(2), substituted "subsections (a) and (b)" for "subsection (a)".

Pub. L. 107-107, Sec. 532(a)(1), redesignated subsec. (b) as (c).

Subsec. (d). Pub. L. 107-107, Sec. 532(c)(1), added subsec. (d).

#### EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-136, div. A, title V, Sec. 531(b), Nov. 24, 2003, 117 Stat. 1472, provided that: "The authority to confer the degree of master of operational studies under *section 7102(c) of title 10, United States Code* (as added by subsection (a)) may not be exercised until the Secretary of Education determines, and certifies to the President of the Marine Corps University, that the requirements established by the Command and General Staff College of the Marine Corps University for that degree are in accordance with generally applicable requirements for a degree of master of

arts." [Approval granted by Secretary of Education on Jan. 10, 2003, for Marine Corps University to award the Master's degree in operational studies for successful completion of the School of Advanced Warfighting program.]

#### EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-107, div. A, title V, Sec. 532(d), Dec. 28, 2001, 115 Stat. 1105, provided that: "The authority to confer the degree of master of strategic studies under *section 7102(b) of title 10, United States Code* (as added by subsection (a)) may not be exercised until the Secretary of Education determines, and certifies to the President of the Marine Corps University, that the requirements established by the Marine Corps War College of the Marine Corps University for that degree are in accordance with generally applicable requirements for a degree of master of arts. Upon receipt of such a certification, the President of the University shall promptly transmit a copy of the certification to the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives." [Approval granted by Secretary of Education on Aug. 8, 2001, for Marine Corps University to award the Master's degree for successful completion of the Marine Corps War College program in strategic studies.]

## EFFECTIVE DATE

Section 911(b) of Pub. L. 103-337 provided that: "The authority provided by *section 7102(a) of title 10, United States Code*, as added by subsection (a), shall become effective on the date on which the Secretary of Education determines that the requirements established by the Command and Staff College of the Marine Corps University for the degree of master of military studies are in accordance with generally applicable requirements for a degree of master of arts." [Approval granted by Secretary of Education on Mar. 22, 1995, for Marine Corps University to award the Master of Military Studies degree through its Command and Staff College.]

## BOARD OF ADVISORS FOR MARINE CORPS UNIVERSITY

Pub. L. 103-337, div. A, title IX, Sec. 912, Oct. 5, 1994, 108 Stat. 2828, which authorized the Secretary of the Navy to establish a board of advisors for the Marine Corps University and to ensure that the board met all requirements of the appropriate regional accrediting association, was repealed and restated in subsec. (d) of this section by Pub. L. 107-107, div. A, title V, Sec. 532(c), Dec. 28, 2001, 115 Stat. 1105.





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## **ATTACHMENT 2**

CHARTER  
BOARD OF VISITORS MARINE CORPS UNIVERSITY

- A. Official Designation: The Committee shall be known as the Board of Visitors Marine Corps University (hereafter referred to as the Board).
- B. Objectives and Scope of Activities: The Board, under the provisions of 10 U.S.C. § 7102(e) and the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), shall provide the Secretary of Defense, through the Secretary of the Navy and the Commanding General, Marine Corps Combat Development Command, independent advice and recommendations on matters pertaining to (1) U.S. Marine Corps Professional Military Education; (2) all aspects of the academic and administrative policies of the Marine Corps University (hereafter referred to as the University); (3) higher educational standards and cost effective operations of the University; and (4) the operation and accreditation of the National Museum of the Marine Corps.

The Secretary of the Navy or designated representatives, unless otherwise directed by statute, may act upon the Board's advice and recommendations.

- C. Board Membership: The Board shall be composed of at least nine members, who are eminent authorities in the field of education, and no more than six additional members, who are eminent authorities in the fields of study directly related to the University's mission and goals.

The Board shall maintain a standing Subcommittee for the National Museum of the Marine Corps which shall consist of not more than five members who are eminent authorities in the fields related to museum management; including, but not limited to, areas related to: public trust and accountability; mission and planning; leadership and organization; collections stewardship; education and interpretation; financial stability; and facilities and risk management.

The Board shall maintain a standing Executive Subcommittee consisting of the Board's Chair, the Chair-Elect, Past Chair, and the Secretary of the Board. Those members of the Executive Subcommittee who are not regular government employees shall be appointed as special government employees. The Executive Subcommittee shall meet to discuss matters which do not necessitate a vote or decision of the entire Board that may occur between regularly scheduled Board meetings.

Board and Subcommittee Members appointed by the Secretary of Defense, who are not full-time or Permanent part-time federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109, and serve as Special Government Employees. Full-time or permanent part-time employees of the University shall not serve on the Board or its Subcommittees.

Board and Subcommittee Members, unless otherwise directed by the Secretary of Defense, shall be appointed by the Secretary for four-year terms, and their appointments shall be reviewed on an annual basis. With the exception of travel and per diem for official travel, Board members shall serve without compensation.

The President of the Marine Corps University shall serve as a non-voting ex-officio member of both the chartered Board and the Executive Subcommittee. The Director of the National

Museum of the Marine Corps shall serve as a non-voting ex-officio member of the Subcommittee for the National Museum of the Marine Corps. Their appointment as non-voting ex-officio members shall not count toward the Boards or Subcommittees total membership.

The President of the Board shall be appointed for a two-year term through a vote of the voting members of the Board.

- D. Board Meetings: The Board shall meet at the call of the Designated Federal Officer, in consultation with the President of Marine Corps University; the Commanding General, Marine Corps Combat Development Command; and the Chair of the Board. The Board must meet at least once per year but will generally meet twice per year.

The Designated Federal Officer shall be a full-time or permanent part-time Department of Defense employee, and shall be appointed according to established Department of Defense policies and procedures. The Designated Federal Officer and/or Alternate Designated Federal Officer shall attend all Board and Subcommittee meetings.

The Board shall be authorized to establish Subcommittees or Working Groups, as necessary and consistent with its mission, and these subcommittees or Working Groups shall operate under the provisions of the Federal Advisory committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended), and other appropriate federal regulations.

Such Subcommittees or Working Groups shall not work independently of the chartered Board, and shall report their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or Working Groups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Department of Defense or any federal officers or employees who are not Board Members.

- E. Duration and Termination of the Board: Pursuant to 10 U.S.C. § 7102(e), the need for this advisory function is on a continuing basis; however, it is subject to renewal every two years.
- F. Agency Support: The Department of Defense, through the Secretary of the Navy and the Marine Corps University, shall provide support as deemed necessary for the performance of the Board's functions, and shall ensure compliance with the requirements of 5 U.S.C. Appendix, as amended.
- G. Operating Costs: It is estimated that the annual operating costs, to include travel costs, consultant fees, and contract support, is \$54,000.00. The estimated annual personnel costs to the Department of Defense are 0.4 full-time equivalents (FTEs).
- H. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Record Schedule 26 and appropriate Department of Defense policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
- I. Charter Filed: